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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rikihiro Iida
Serial No. : 09/781,049
Filed : February 9, 2001
Title : DFB LASER DRIVING DEVICE, DFB LASER DRIVING METHOD AND STORAGE MEDIUM

Art Unit : 2828
Examiner : Cornelius H. Jackson

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF NOVEMBER 29, 2004

In the Office action, the rejections of claims 1-3 as unpatentable over either U.S. Patent No. 6,563,846 (Kuo et al.) or U.S. Patent No. 6,449,077 (Broutin et al.) were maintained. The Examiner's response to the applicant's previously presented arguments are found at pages 5-6 of the Office action. As discussed below, applicant maintains the pending claims are patentable over the cited references and that the rejections should be withdrawn.

To anticipate a claim under 35 U.S.C. § 102, a single prior art reference must disclose "each and every" limitation of the claim. *See, e.g., Rockwell Int'l Corp. v. United States*, 47 USPQ2d 1027, 1031 (1998).

A claimed invention also is unpatentable under 35 U.S.C. § 103(a) if the differences between it and the prior art "are such that the subject matter as a whole would have been obvious at the time the invention was made to a person of ordinary skill in the art."

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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